

P21086.P13

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number

09/880,068

Filing Date

June 14, 2001

First Named Inventor

Markus SPEIDEL et al.

Group Art Unit

1742

Examiner Name

Wilkins

Attorney Docket Number

P21086

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. §1.114

### a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

- i. ☒ Amendment/Reply under 37 C.F.R. 1.114
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Request for Extension of Time
- v. ☐ Other \_\_\_\_\_

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ Check in the amount of \$ 880.00 enclosed
- b. ☒ If payment in the appropriate amount is not enclosed, the U.S. Patent and Trademark Office is hereby authorized to charge any fees required by this paper, including the RCE fee required under 37 C.F.R. § 1.17 (e), any extension of time fees (37 C.F.R. §§ 1.136 and 1.17) necessary to render the RCE timely, and any suspension fee or credit any overpayments, to Deposit Account No. 19-0089

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Neil F. Greenblum

Registration No. (Attorney/Agent)

28,394

Signature

Date

1/16/04

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)

Signature

Date

P21086.A11



Application No. 09/880,068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Markus SPEIDEL et al.

Group Art Unit : 1742

Appln. No. : 09/880,068

Examiner : Wilkins

Filed : June 14, 2001

For : NICKEL-BASED ALLOY FOR HIGH-TEMPERATURE TECHNOLOGY

**AMENDMENT UNDER 37 C.F.R. 1.114  
TO FINAL OFFICE ACTION MAILED SEPTEMBER 16, 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Final Office Action mailed September 16, 2003, which sets a three month shortened statutory period for response until December 16, 2003.

Applicants hereby request an extension of time for one month until January 16, 2003, and are concurrently filing a formal Request for Extension of Time for one month accompanied by the government fee. If for any reason the formal request for extension of is not associated with this response or any fees are needed to maintain the pendency of this application, including any extension of time fees, this is an express request for any required extension of time and authorization to charge any necessary fee to Deposit Account No. 19-0089.

Entry of the instant amendment, with reconsideration and allowance of the application are respectfully requested.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.